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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/698,619 | 10/31/2003 | Zlatko Zadro | MM3-191 | 9894 |
| 7590 06/28/2004 | | | | |
| Law Offices of William L. Chapin 16791 Sea Witch Lane Huntington Beach, CA 92649 | | | EXAMINER SHAFFER, RICKY D | |
| | | | ART UNIT 2872 | PAPER NUMBER |

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,619

Applicant(s)

ZADRO, ZLATKO

Examiner

Ricky D. Shafer

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OK

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7, 11-13 and 15 is/are rejected.
- 7) ☒ Claim(s) 3-5, 8-10, 14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6, 7, 11-13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Berlin et al ('140).

Berlin et al discloses a mirror device for providing reflected images having at least two different magnifications comprising at least a first mirror frame (21) holding therein a pair of first and second mirrors (17,19) having different magnifications [a concave mirror (17) and a planar mirror (19), see column 2, lines 13 to 28), a frame holder (13) having pockets (49,53), means (45,47,49,51,53) for releasably and interchangeably holding said mirror frame in said frame holder, a mounting base [(57) or (71)], support means [(60,62) or (75)] for supporting said frame holder from said mounting base, fastener means [(63) or (the screws or bolts for holes (73))] for releasably attaching said mounting base to a mounting surface, an angularly adjustable coupling means (59,60,62,65,75) joining said frame holder to said mounting base, and a second mirror frame (43) for holding at least one mirror (23) having a magnification different than that of the first and second mirrors, wherein mirror frame comprises a peripheral ring which at least partially bounds outer peripheral edges of the first and second mirror (see figures 2 and 4), wherein said frame holder comprises at least two radially spaced apart flange walls (31,33,37,39) which protrude forward from a base portion (35) and releasable engagement means (45,47,49,51,53) for fixedly and releasably holding said peripheral ring of the mirror frame fixed

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with respect to said flange walls (31,33) of the frame holder, and wherein said angularly adjustable coupling means comprising a pivot pin (62,75) fastened to one of said mounting base and holder frame and a bushing (65) fastened to the other end of said mounting base and said frame holder for rotatably and fictionally receiving said pivot pin. Note figures 1-4 along with the associated description thereof.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “(76)”, shown figures 4 and 5, has been used to designate both a first feature adjacent element (79) and a second feature adjacent element (74). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description:

Reference characters [(51), (67L), (67R), (68), (69), (70) and (91)] described in the specification have not been properly illustrated/labeled.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.

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The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Reference character (79), shown in figures 4 and 5, and reference character (67), shown in Fig. 7, each lack a proper written description. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second mirror frame must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.

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The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

7. The drawings are objected to because one of reference characters (31R), shown in Fig. 9, shown be changed to --31F-- and reference character (66), shown in Fig. 10, should be changed to --36--. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any

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required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

8. The disclosure is objected to because of the following informalities:

On page 8, line 25 of the specification, the language "wall" should be changed to --web-- and on page 9, line 20 of the specification, the language "he" should be changed to --the--.

Appropriate correction is required.

Note : The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

9. Claims 3-7, 9, 10 and 12-18 are objected to because of the following informalities:

In claim 3, line 8, the language "said frame rib" should be changed to read --said mirror frame rib--.

In claim 3, line 11, the language "said frame ribs" should be changed to read --said mirror frame rib--.

In claim 3, line 12, the language "ribs" should be changed to read --rib--.

In claims 6 and 7, line 2, the language "said mirror frame holder" should be changed to read --said frame holder--.

In claim 7, line 6, the language "mirror holder" should be changed to read --frame holder--.

In claim 9, line 2, the language "bases" should be changed to read --base--.

In claims 10 and 18, line 9, the language "suction cut neck" should be changed to read --suction neck--.

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In claim 12, lines 9-10, the language “said mirror frame ring” should be changed to read --said cylindrical ring of said mirror frame--.

In claim 14, line 11, the language “said mounting frame” should be changed to read --said frame holder--.

In claim 14, line 12, the language “peripheral ring rib” should be changed to read --peripheral frame ring rib--.

In claim 15, line 1, the language “support ; means” should be changed to read --support means--.

In claim 16, line 3, the language “said rear” should be changed to read --a rear--.

Appropriate correction is required.

10. Claims 3-5, 8-10, 14 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.

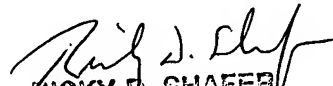
The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS

June 26, 2004


RICKY D. SHAFER
PATENT EXAMINER
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